

AMENDMENTS TO THE CLAIMS

Please enter the following amendments without prejudice or disclaimer.

This listing of claims will replace all prior versions, and listings, of claims in the application:

Claim 1 (Currently Amended): A method for preventing a symptom of herpes simplex virus infection in an individual who has been exposed to herpes simplex virus, comprising administering a composition comprising a polynucleotide comprising an immunostimulatory sequence (ISS) to said individual, wherein the ISS comprises the sequence 5'-C, G-3', wherein the polynucleotide comprises a phosphate backbone modification, wherein the polynucleotide is less than about 200 nucleotides in length, wherein a herpes simplex virus antigen is not administered in conjunction with administration of said composition, wherein the individual is a mammal and wherein said composition is administered in an amount sufficient to prevent a symptom of herpes simplex virus infection.

Claim 2 (Original): The method of claim 1, wherein the ISS comprises the sequence 5'-T, C, G-3'.

Claim 3 (Original): The method of claim 1, wherein the ISS comprises the sequence 5'-purine, purine, C, G, pyrimidine, pyrimidine, C, G-3' or 5'-purine, purine, C, G, pyrimidine, pyrimidine, C, C-3'.

Claim 4 (Original): The method of claim 3, wherein the ISS comprises a sequence selected from the group consisting of 5'-AACGTTCC-3', 5'-AACGTTCCG-3', 5'-GACGTTCC-3' and 5'-GACGTTCCG-3'.

Claim 5 (Original): The method of claim 1, wherein the ISS comprises the sequence 5'-TGACTGTGAACGTTCCGAGATGA-3' (SEQ ID NO:1).

Claim 6 (Original): The method of claim 1, wherein the ISS comprises the sequence 5'-TCGTCGAACGTTTCGTTAACGTTTCG-3' (SEQ ID NO:9).

Claim 7 (Cancelled)

Claim 8 (Original): The method of claim 1, wherein administration is at a site of infection.

Claim 9 (Original): The method of claim 1, wherein the herpes simplex virus is a herpes simplex virus 2 (HSV-2) virus.

Claim 10 (Currently Amended): A method of reducing severity of a symptom of herpes simplex virus infection in an individual infected with herpes simplex virus, comprising administering a composition comprising a polynucleotide comprising an immunostimulatory sequence (ISS) to said individual, wherein the ISS comprises the sequence 5'-C, G-3', wherein the polynucleotide comprises a phosphate backbone modification, wherein the polynucleotide is less than about 200 nucleotides in length, wherein a herpes simplex virus antigen is not administered in conjunction with administration of said composition, wherein the individual is a mammal and wherein said composition is administered in an amount sufficient to reduce severity of a symptom of herpes simplex virus infection.

Claim 11 (Original): The method of claim 10, wherein the ISS comprises the sequence 5'-T, C, G-3'.

Claim 12 (Original): The method of claim 10, wherein the ISS comprises the sequence 5'-purine, purine, C, G, pyrimidine, pyrimidine, C, G-3' or 5'-purine, purine, C, G, pyrimidine, pyrimidine, C, C-3'.

Claim 13 (Original): The method of claim 12, wherein the ISS comprises a sequence selected from the group consisting of 5'-AACGTTCC-3', 5'-AACGTTTCG-3', 5'-GACGTTCC-3' and 5'-GACGTTTCG-3'.

Claim 14 (Original): The method of claim 10, wherein the ISS comprises the sequence 5'-TGA CTGTGAACGTTTCGAGATGA-3' (SEQ ID NO:1).

Claim 15 (Original): The method of claim 10, wherein the ISS comprises the sequence 5'-TCGTCGAACGTTTCGTTAACGTTTCG-3' (SEQ ID NO:9).

Claim 16 (Original): The method of claim 10, wherein the composition is administered in an amount sufficient to reduce the level of viral shedding.

Claim 17 (Cancelled)

Claim 18 (Original): The method of claim 10, wherein administration is at a site of infection.

Claim 19 (Original): The method of claim 10, wherein the herpes simplex virus is a herpes simplex virus 2 (HSV-2) virus.

Claim 20 (Currently Amended): A method of reducing recurrence of a symptom of herpes simplex virus infection in an individual infected with herpes simplex virus, comprising administering a composition comprising a polynucleotide comprising an immunostimulatory sequence (ISS) to said individual, wherein the ISS comprises the sequence 5'-C, G-3', wherein the polynucleotide comprises a phosphate backbone modification, wherein the polynucleotide is less than about 200 nucleotides in length, wherein a herpes simplex virus antigen is not administered in conjunction with administration of said composition, wherein the individual is a mammal and wherein said composition is administered in an amount sufficient to reduce recurrence of a symptom of herpes simplex virus infection.

Claim 21 (Original): The method of claim 20, wherein the ISS comprises the sequence 5'-T, C, G-3'.

Claim 22 (Original): The method of claim 20, wherein the ISS comprises the sequence 5'-purine, purine, C, G, pyrimidine, pyrimidine, C, G-3' or 5'-purine, purine, C, G, pyrimidine, pyrimidine, C, C-3'.

Claim 23 (Original): The method of claim 22, wherein the ISS comprises a sequence selected from the group consisting of 5'-AACGTTCC-3', 5'-AACGTTTCG-3', 5'-GACGTTCC-3' and 5'-GACGTTTCG-3'.

Claim 24 (Previously Amended): The method of claim 20, wherein the ISS comprises the sequence 5'-TGACTGTGAACGTTTCGAGATGA-3' (SEQ ID NO:1).

Claim 25 (Original): The method of claim 20, wherein the ISS comprises the sequence 5'-TCGTCGAACGTTTCGTTAACGTTTCG-3' (SEQ ID NO:9).

Claim 26 (Cancelled)

Claim 27 (Original): The method of claim 20, wherein administration is at a site of infection.

Claim 28 (Original): The method of claim 20, wherein the herpes simplex virus is a herpes simplex virus 2 (HSV-2) virus.

Claims 29-32 (Cancelled)

Claim 33 (Currently Amended): A kit for use in ameliorating or preventing a symptom of herpes simplex virus infection in an individual infected with, exposed to or at risk of being exposed to herpes simplex virus, comprising:

a composition comprising a polynucleotide comprising an immunostimulatory sequence (ISS), wherein the ISS comprises the sequence 5'-TGACTGTGAACGTTTCGAGATGA-3' (SEQ ID NO:1) or the sequence 5'-TCGTCGAACGTTTCGTTAACGTTTCG-3' (SEQ ID NO:9), wherein the

polynucleotide comprises a phosphate backbone modification and wherein said kit does not comprise a herpes simplex virus antigen; and

instructions for administration of said composition to an individual infected with, exposed to or at risk of being exposed to herpes simplex virus, wherein the individual is a mammal

Claims 34-35 (Cancelled)

Claim 36 (New): The method of claim 1, wherein the mammal is human.

Claim 37 (New): The method of claim 10, wherein the mammal is human.

Claim 38 (New): The method of claim 20, wherein the mammal is human.

Claim 39 (New): The kit of claim 33, wherein the mammal is human.